

REMARKS

The Examiner indicated that Applicants are required to write claims 7, 13, 22, 30, and 36 in independent form to properly reflect the Decision on Appeal of the Board of Patent Appeals and Interferences.

The Examiner states: "This amendment will require more than copying each dependent claim into their respective independent claim because: there is a small technical error in claims 7, 13, 22, and 30 where "the simulation browser adds a delay between image transmission portion of the prioritized graphics file" because parent claim claims image 197 which is sent to client and from the specification the simulation browser inserts the delay in image 187 but in the dependent claim "the prioritized graphics file" in view of parent claim is image 197 but should be image 187. Claim 36 has similar technical error because step F) should be repeating steps for image 187 but in view of parent claim the repeating is for image 197."

In a telephonic interview between the Examiner Jeffrey A. Brier and Applicants' Representative Jack P. Friedman on February 6, 2007, it was agreed that:

1) the phrase "prioritized graphics file" in allowed claims 7, 13, 22, 30, and 36, and in independent claims 1, 8, 14, 23, and 35, are associated with image 187 of FIG. 1 as described in the specification, and the prioritized graphics file includes portions of image 197, said portions having been selected from image 197 and subsequently prioritized, in light the of the specification, page 14, lines 11-16 ("Image prioritization editor 198 allows an image designer to select portions of image 197.... The image designer can then assign priorities to each selected portion... . Image prioritization editor 198 also allows a prioritized image file (an image file where portions have been selected and assigned priorities) in a variety

of image file formats.”) and page 15, lines 18-21 (“Selecting and assigning priorities to portions of an image will usually be an iterative process: the image designer selects one or portions of an image, assigns these portions a priority, saves the image in a prioritized image file”);

2) the limitations of allowable claims 7, 13, 22, 30, and 36 will be incorporated into independent claims 1, 8, 14, 23, and 35, respectively; and

3) the claims depending from independent claims 1, 8, 14, 23, and 35 will remain in the pending claims subject to certain dependent claims (e.g., claim 3 and similar claims) being canceled due to possible incompatibility with the rewritten independent claims.

Applicants’ Representative respectfully contends that the claims listed *supra* herein reflect the preceding agreement reached at the telephonic interview.

The Examiner states: “Claim 36 has typo errors as well: at the end of step D) a semicolon is needed and step identifier "G)" should be deleted since there is no step "(G)".” In response, Applicants have incorporated the limitations of claim 36 into claim 35 without including the step identifier "G)".

The Examiner states that “claims 22 and 30 are program product claims and their parent claims also claim "signal bearing media" in their last line and specification at page 12 lines 17-25 discuss the signal bearing media as transmission type media which currently is not acceptable, note the interim guidelines, thus changing "signal bearing media" to "recordable type media" is suggested, see specification at page 12 lines 22-23, and amending the preamble to claim

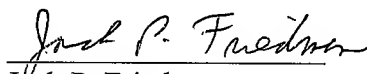
"computer program product encoded in recordable type media" is also suggested, see specification at page 10 lines 17-25 and at page 12 lines 17-23." In response, Applicants have changed "signal bearing media" to "recordable type media" in all claims in which "signal bearing media" appears.

The Examiner indicated that Applicants should correct a typographical error in the specification, page 23, line 15 to change reference number 187 to 186 in the recited phrase "simulation browser 187". In response, Applicants have amended the specification to correct the preceding typographical error.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0465.

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